

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BOLICK DISTRIBUTORS	:	CIVIL ACTION
CORPORATION (Also Known as	:	
BOLICK DISTRIBUTORS, INC.)	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
ARMSTRONG HOLDINGS, INC.,	:	NO. 02-5135
ARMSRONG WOOD PRODUCTS, INC.,	:	
and ROBBINS HARDWOOD FLOORING,	:	
INC.	:	
Defendants.	:	

CASE MANAGEMENT ORDER NO. 1

AND NOW, this 25th day of September, 2002, following an Initial Pretrial Conference on said date, the parties, through counsel, having reported that they are interested in addressing the question of settlement after completion of some discovery, **IT IS ORDERED** that counsel shall jointly report to the Court in writing (letter to Chambers, Room 12613) with respect to whether the case is settled on or before January 10, 2003. In the event the case is not settled on or before January 10, 2003, counsel shall include in their joint report a statement as to whether they believe settlement conferencing before a magistrate judge or some other form of alternative dispute resolution might be of assistance in resolving the case and, if so, on what form of alternative dispute resolution they agree, and by what date they will be prepared to commence such proceedings.

I. DESIGNATION OF LIAISON COUNSEL

A. For Plaintiff, Bolick Distributors Corporation:

Chad M. Herring, Esquire
MOSTER & WYNNE PC
1135 W. 6th Street, Suite 140

Austin, Texas 78703
Telephone: (512) 320-0601.

B. For Defendants, Armstrong Holdings, Inc., Armstrong Wood Products, Inc., Robbins
Hardwood Flooring, Inc:

____ Mark P. Edwards, Esquire
MORGAN, LEWIS & BOCKIUS
1701 Market Street
Philadelphia, Pennsylvania 19103-2921
Telephone: (215) 963-5769.

Liaison counsel shall be responsible for communications with the Court in connection with the conduct of the litigation.

II. AMENDMENTS TO PLEADINGS

Plaintiff is granted leave to file and serve an amended complaint on or before October 10, 2002. One (1) copy of the amended complaint shall be served on the Court (Chambers, Room 12613) when the original is filed.

III. DISCOVERY

Discovery shall be limited to that which is related to Defendants' Motion to Transfer under 28 U.S.C. § 1404(a). In addition, by agreement, the parties may proceed with discovery relating to the question of settlement. All such discovery shall be completed on or before December 30, 2002.

IV. PENDING MOTIONS

A. Motion to Transfer Venue Under 28 U.S.C. § 1404(a)

1. In the event plaintiff files an amended complaint on or before October 10, 2002, defendants are granted leave to file and serve an amended motion to transfer venue under 28 U.S.C. § 1404(a) on or before October 17, 2002.

2. Plaintiff's response to the initial Motion to Transfer Venue under 28 U.S.C. § 1404(a) or, if filed, the amended motion to transfer venue under 28 U.S.C. § 1404(a), shall be filed and served on or before January 17, 2003.

3. Defendants are granted leave to file and serve a reply to plaintiff's response to the venue motion on or before January 24, 2003.

4. Two (2) copies of all such motions, responses, and replies shall be served on the Court (Chambers, Room 12613) when the originals are filed.

B. Motion to Dismiss

1. In the event plaintiff files an amended complaint on or before October 10, 2002, defendants are granted leave to file and serve an amended motion to dismiss on or before October 17, 2002.

2. Plaintiff's response to the initial Motion to Dismiss or, if filed, the amended motion to dismiss shall be filed and served within the time provided under the Local Civil Rules of this Court.

3. Defendants are granted leave to file and serve a reply to plaintiff's response to the Motion to Dismiss within one (1) week of service of a copy of the response.

4. Two (2) copies of all such motions, responses, and replies shall be served on the Court (Chambers, Room 12613) when the originals are filed.

V. PROTECTIVE ORDERS - CONFIDENTIALITY ISSUES

_____ On or before October 10, 2002, the parties shall submit a proposed form of protective order/confidentiality order to the Court for approval. If additional time is required for submission of such order it should be requested on or before October 10, 2002.

IT IS FURTHER ORDERED that the Court will issue a second case management order, if necessary, after it rules on the pending motions and/or any amended motions filed by defendants.

BY THE COURT:

JAN E. DUBOIS, J.